

TITLE 2
CIVIL LAW AND MOTION

TABLE OF CONTENTS

RULE 2.0010
COMPLIANCE WITH CALIFORNIA RULES OF COURT

RULE 2.0015
PAPERS RELATED TO NOTICED MATTERS

RULE 2.0020
CONDUCT OF HEARINGS

RULE 2.0021
INDIO BRANCH
LAW AND MOTION PROCEEDINGS

RULE 2.0025
DEMURRERS

RULE 2.0030
MOTIONS FOR SUMMARY JUDGMENT AND SUMMARY ADJUDICATION OF
ISSUES

RULE 2.0035
DISCOVERY

RULE 2.0040
MOTION FOR RECONSIDERATION

RULE 2.0041
NOTICE OF SETTLEMENT OFFER

RULE 2.0045
CONSOLIDATION OF CASES

RULE 2.0050
PREROGATIVE WRITS

RULE 2.0055
UNDERTAKINGS

RULE 2.0060
EX-PARTE APPLICATIONS FOR
ORDERS IN ALL CIVIL PROCEEDINGS
(EXCEPT FAMILY LAW AND PROBATE)
(CRC 329)

RULE 2.0065
CASE MANAGEMENT RULES -- DIRECT CALENDARING OF CIVIL CASES

RULE 2.0070
INSTRUCTION TO JURY

RULE 2.0100
JUDGMENT BY DEFAULT - DECLARATION

TITLE 2
CIVIL LAW AND MOTION

RULE 2.0010
COMPLIANCE WITH CALIFORNIA RULES OF COURT

(Deleted 4-25-98, eff. 7-1-98)

RULE 2.0015
PAPERS RELATED TO NOTICED MATTERS

(Deleted 4-25-98, eff. 7-1-98)

RULE 2.0020
CONDUCT OF HEARINGS

Continuances and Matters Taken Off Calendar.

1. When a hearing date has been set, it shall be utilized unless timely continued or taken off calendar.
2. A party seeking to continue a law and motion hearing, shall submit either a written stipulation signed by all parties, or a declaration from counsel for the moving party, signed under penalty of perjury, informing the court that all parties have been notified and agree to have the motion continued. The declaration or stipulation to continue the hearing on the motion shall be filed with the court as soon as reasonably possible. Additionally, if the declaration or stipulation cannot with reasonable diligence be filed at least five (5) court days before the hearing, the moving party shall orally notify the clerk in the assigned department as soon as reasonably possible that a declaration or stipulation is being submitted.
3. If the moving party determines that a hearing on the motion is no longer necessary, the party shall immediately notify the court in writing that the motion should be taken off calendar. When the hearing is imminent, the moving party shall also immediately give oral notice to the clerk in the assigned department that the motion should be taken off calendar.

(Adopted 1-1-86; Amend. 10-23-93, eff. 1-1-94; amend. 10-17-98, eff. 1-1-99; amend. 10-18-02, eff. 1-1-03)

**RULE 2.0021
INDIO BRANCH
LAW AND MOTION PROCEEDINGS**

(Deleted 11-7-92, eff. 1-1-93)

**RULE 2.0025
DEMURRERS**

(Deleted 4-25-98, eff. 7-1-98)

**RULE 2.0030
MOTIONS FOR SUMMARY JUDGMENT OR SUMMARY ADJUDICATION**

(Deleted 4-25-98, eff. 7-1-98)

**RULE 2.0035
DISCOVERY**

(Deleted 4-25-98, eff. 7-1-98)

**RULE 2.0040
MOTION FOR RECONSIDERATION**

(Deleted 4-16-94, eff. 7-1-94)

**RULE 2.0041
NOTICE OF SETTLEMENT OFFER**

Any party who serves a settlement offer upon any other party pursuant to CCP §998 shall promptly file with this Court a notice that a §998 settlement offer was made.

The notice shall include the date the offer was made.

The notice shall include a statement indicating whether CCP§ 1021.1 is applicable. If not applicable, the notice shall specify the particular provision of §1021.1(f) that removes the case from the operation of the statute.

Failure to file this notice shall not prevent recovery under CCP§ 1021.1.

(Added 5-10-02, effective 7-1-02)

RULE 2.0045
CONSOLIDATION OF CASES

A. Designation of Type of Consolidation.

1. Upon issuance of an order for consolidation under which the pleadings are to be regarded as combined and interrelated, one verdict or one statement of decision shall be given and one judgment shall be rendered, except as hereinafter provided.
2. For those actions where consolidation is sought but the pleadings, verdicts, statement of decision and judgments should be kept separate, even though the actions are tried together, it shall be the duty of counsel to so advise the Court and request that a master file not be designated.

B. Designation of Master File.

1. Except as provided in Rule 2.0045(A), when an order for consolidation is issued, the case with the lowest number shall be designated as the master file. Subsequently, all original pleadings and other original papers shall be filed only in the master file, and each pleading or paper filed shall contain the numbers of all the consolidated actions, with "MF" beside the number designated as the master file.
2. The title of the master file shall be set forth in the caption, followed by a box containing the words, "AND CONSOLIDATED CASE(S)". For example:

JOHN JONES,)	NO. 1234567
)	1234789
Plaintiff,)	1234001 MF
)	
vs.)	MOTION FOR CONTINUANCE
)	OF TRIAL
RICHARD SMITH,)	
)	
Defendant.)	Dept. 1
)	Jan. 1, 1986
)	8:30 AM
<u>AND CONSOLIDATED CASES</u>)	5 Minutes

C. Order for Consolidation.

Any motion or stipulation for consolidation shall include, on a form provided by the Clerk's Office or a reasonable facsimile thereof, the appropriate consolidation order.

(Adopted 1-1-86; Amended, eff. 1-1-88)

RULE 2.0050
PREROGATIVE WRITS

(Deleted 4-17-99, eff. 7-1-99)

RULE 2.0055
UNDERTAKINGS

(Deleted 4-25-98, eff. 7-1-98)

RULE 2.0060
EX-PARTE APPLICATIONS FOR ORDERS IN ALL CIVIL PROCEEDINGS
(EXCEPT FAMILY LAW AND PROBATE)(CRC 379)

(Deleted 4-25-98, eff. 7-1-98)

RULE 2.0065

CASE MANAGEMENT RULES -- DIRECT CALENDARING OF CIVIL CASES

(Deleted 4-25-98, eff. 7-1-98)

RULE 2.0070

INSTRUCTIONS TO JURY

When special verdicts are to be submitted to a jury, the jury questions and verdict forms shall be presented in writing to the Court, and copies thereof furnished to other parties before any evidence is offered, unless the Court shall order otherwise.

(Adopted 1-1-86; Amended and moved from Title 1 (Rule 1.0055), 10-17-98, effective 1-1-99)

RULE 2.0100

JUDGMENT BY DEFAULT – DECLARATION

Except where otherwise prohibited or ordered by the court, all judgments by default shall be by declaration.

(Adopted 4-25-98, eff. 7-1-98; moved from Title 1 (Rule 1.0082) 1-1-99; amended 4-30-04, eff. 7-1-04)